

Appl. No. : 10/720,712
Filed : November 24, 2003

REMARKS

This Amendment is responsive to the non-final Office Action dated December 24, 2008. Applicant's representative would like to thank Examiner Liu for the courtesy he extended during the telephone interview conducted on January 9, 2009.

I. Summary of the amendments

By the foregoing amendments, Applicant is amending the application as summarized below:

- Paragraph 0005 is being amended to correct a typographical omission.
- Non-elected claims 44-48 are being canceled.
- Claim 27 is being amended as agreed during the interview to address the rejection under section 112, second paragraph.
- Claim 31 is being amended to more precisely describe the claimed feature; this amendment is supported, but not limited, by the disclosure at paragraph 0064 of the application.
- New dependent claims 49-51 are being added. These claims are supported, but not limited, by at least the disclosure at paragraph 0015 of the application.
- New independent claim 52, and corresponding dependent claims 53-64, are being added. These claims are supported, but not limited, by at least claims 27-42 as originally filed.

No new matter is being added.

II. The rejection of claims 27-43 under section 112, second paragraph, is overcome by the amendment to claim 27

In view of the amendment made herein to independent claim 27, Applicant submits that the rejection of claims 27-43 under 35 U.S.C. § 112, second paragraph, is overcome.

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III. The art-based rejections are improper

The Office Action rejected all of the independent claims as being anticipated by U.S. Pat. 6,484,150 to Blinn. Some of the dependent claims are also rejected as anticipated by Blinn, and the other dependent claims are rejected on obviousness grounds over Blinn in view of Starkey (PGPUB 2002/0059327).

As discussed during the interview, the referenced portions of Blinn describe a process in which a requested HTML document is assembled on a server using data retrieved from a database. This process involves the use of a dynamic page generator 125 that populates a template based on the results of one or more database queries. Once the template has been fully populated, the HTML document is sent to the browser that requested the document. See Blinn at col. 14. Nothing in Blinn suggests that this HTML document is thereafter updated on the user computing device, using a page update handler or otherwise.

In view of the foregoing, Applicant submits that Blinn does not disclose all of the features of any independent claim. For example, with respect to claim 1, Blinn does not disclose the following combination of features in the context of the other recitations of the claim: “before the service returns the service data, transmitting to the web browser a first portion of the web page, said first portion including viewable content, and including a placeholder for the requested service data,” and “transmitting to the user computer a page update handler which, when executed by the web browser, incorporates the service data included within the second portion of the web page into the first portion of the web page in a viewable form.”

With respect to independent claim 18, Blinn does not disclose the following combination of features in the context of the other recitations of the claim: “if the service does not return the requested service data within the selected time interval: (a) transmitting at least said portion of the web page to the web browser without the service data, (b) in response to receiving the service data from the service, transmitting the service data to the web browser, and (c) invoking a page update handler which, when executed by the web browser, populates said portion of the web page with the service data transmitted in (b).”

With respect to independent claim 27, Blinn does not disclose the following combination of features in the context of the other recitations of the claim: “(b) transmitting to the web browser at least a first portion of the web page, said first portion including content that is

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viewable within the web browser while the service request is pending; (c) after the service responds to the service request by returning the service data, sending the service data to the web browser; and (d) instructing the web browser to execute a page update handler that, when executed, incorporates a viewable representation of the service data, as transmitted in (c), into the first portion of the web page.”

Because Blinn does not disclose all of the features of any independent claim, the rejections of the independent and dependent claims are improper. Additional distinctions over Blinn and Starkey are recited throughout the dependent claims.

III. Conclusion

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejections and allow the application.

By amending the claims and pointing out distinctions over the references, Applicant is not disclaiming any subject matter. In addition, by focusing on specific claims and claim limitations in the above remarks, Applicant does not imply an agreement with the statements in the Office Action regarding other claims and claim language.

If any issues remain, the Examiner is invited to call Applicant’s representative at 949.721.2950.

Please charge any additional fees that may be due now or in the future, or credit any overpayment, to deposit account 11-1410.

Respectfully submitted,

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Dated: January 12, 2009

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